



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUL 24 2002

Mr. Fred E. Nichols
Safety Director
Brenntag Mid-South, Inc.
P.O. Box 20
Henderson, KY 42419-0020

Ref. No. 02-0177

Dear Mr. Nichols:

This responds to your June 11, 2002 letter requesting clarification of the placarding requirements for poison/toxic inhalation hazard materials under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification on placarding requirements under §§ 172.505(f)(8) and 172.505(a) when transporting a poison/toxic by inhalation hazard (PIH) material such as, "Chlorine, 2.3, UN 1017."

According to your letter, your company has been cited for violations of the new PIH placarding requirements under § 172.505(a). According to the citation, you are required to placard the transport vehicle or freight container with the new PIH placard with the UN identification number across the center and hazard Class 2 at the bottom, and, with an additional PIH placard with the words "Inhalation Hazard" across the center of the placard and hazard class at the bottom. It is your understanding that the POISON GAS placard as shown in § 172.540 with the UN identification number across the center and Class 2 at the bottom is the only placard required for transporting Chlorine.

Your understanding of PIH placarding requirements in §§ 172.504(f)(8) and 172.505(a) is correct. The POISON GAS placard for Division 2.3 materials as displayed in § 172.540 is the correct placard to be displayed when transporting a poison gas such as Chlorine. The text "Inhalation Hazard" shown on the placard is optional; therefore, the UN identification number may be placed across the center of the Class 2 POISON GAS placard to satisfy the UN identification number marking requirement. An



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172.505(a)

additional PIH placard with the words "Inhalation Hazard" across the center is not required. If the UN identification number is placed on the placard, the words "Inhalation Hazard" must be marked on the package.

I hope this answers your inquiry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

BRENNTAG

Stinnes Logistics

Boothe
§ 172.505(a)

Placarding

02-0177

Brenntag Mid-South, Inc.

June 11, 2002

Mr. Ed Mazzullo
Office of Hazardous Material Standards
Research & Special Programs Administration
U. S. Department of Transportation
400 Seventh Street, SW
Washington, DC 20590

Dear Mr. Mazzullo:

Because of the regulation that was final on October 1, 2001, stating the new INHALATION HAZARD placard is required to be displayed on vehicles transporting any quantity of 2.3 poison gas, our vehicles have been stopped by D.O.T. field inspectors in several states and issued citations for violation of Section Code 172.505(a).

The field inspectors are under the impression that the vehicles must have the placard with the skull and crossbones with the black background at the top, the UN 1017 in the center, and the *Hazard Class 2* on the bottom, and the other placard must have the skull and crossbones with the blank background at the top, the words INHALATION HAZARD in the center and the *Hazard Class 2* on the bottom. The field inspectors always issue a citation for a violation under Section Code 172.505(a).

We believe that all that is required is the placard with the skull and crossbones with the black background at the top, the UN 1017 in the center, and the *Hazard Class 2* on the bottom as referenced in Section Code 172.504 (F)(8). This section code states additional placarding exception, that for domestic transportation, a poison INHALTION HAZARD placard is not required on a transport vehicle for freight containers that is already placarded with the POISON GAS placard.

We would like to receive a letter of interpretation from your department to ensure that we comply with the specific intent of section code under 172.505(a) and 172.504 (F)(8).

We wish to thank you in advance for your time and effort to consider our request for the letter of interpretation on this matter. If you need additional information, please call me at 270-830-1208.

Sincerely,

BRENNTAG MID-SOUTH, INC.

Fred E. Nichols

Fred E. Nichols
Safety Director

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Brenntag Mid-South, Inc.
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